IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE BILAL NAZKI**

**and**
**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO : 20099 of 2004**

Between:

E. Ramakrishna, S/o. E. Lachappa,
R/o. D.No. 1-78, Ubicherla Village, Gooty Mandal, Anantapur District.

**..... PETITIONER**

AND

1 Regional Transport Officer & Secretary, Regional Transport Authority, Anantapur, Anantapur District.
2 Station House Officer, Gooty Police Station, Gooty, Anantapur District.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of Mandamus, declaring the action of the Respondents in seizing and detaining the Petitioner's Auto Rickshaw bearing Registration NO.AP.02/U.2168, pursuant to the Vehicle Check Report No.317147, dated 20-10-2004 of the 1st respondent, as arbitrary, illegal and contrary to law and consequently direct the respondents herein to release the said Auto Rickshaw to the Petitioner forthwith, by accepting the tax for the present quarter ending with 31-12-2004;

**Counsel for the Petitioner:MR.K.VISWANATHAM**

**Counsel for the Respondent: GP FOR TRANSPORT**

**The Court at the stage of admission made the following :**

**ORDER:** (per the Hon'ble Sri Justice Bilal Nazki)

Heard the learned counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry, and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

Writ Petition is accordingly disposed of. No order as to costs.

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(BILAL NAZKI,J)

DATED:02-11-2004

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(S.ANANDA REDDY,J)

Note: Operative portion by wire

at party's costs.

(B/o.)

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To

1 The Regional Transport Officer & Secretary, Regional Transport Authority, Anantapur, Anantapur District.
2 The Station House Officer, Gooty Police Station, Gooty, Anantapur District.

3 Two C.Cs. to the Government Pleader forTransport, High Court of A.P., Hyderabad.(OUT)

4 Two C.D.copies.

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